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10 DIRECTV, INC.

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **SAN JOSE DIVISION**

E-FILED - 10/5/05

14 DIRECTV, INC., a California
15 corporation,

16 Plaintiff,

17 v.

18 LOC HUYNH, BRIAN NGUYEN,
19 ALBERT SAMMONS, HOANGFONG
20 PHAM,

21 Defendants.

CASE NO.: CV-03-02166 RMW (HRL)

**STIPULATION FOR DISMISSAL OF
DEFENDANT ALBERT SAMMONS;
[PROPOSED] ORDER THEREON**

Assigned to Hon. Ronald M. Whyte

22 IT IS HEREBY STIPULATED:

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Plaintiff, DIRECTV, INC. and Defendant ALBERT SAMMONS by and through their respective counsel of record, stipulate that this action be dismissed as against Defendant ALBERT SAMMONS only, with each side to bear its/his own attorney's fees and costs.

Dated: Sept. 6th, 2005

DANNER & MARTYN, LLP

By:

Diana S. Ponce-Gomez
Attorneys for Plaintiff DIRECTV, INC.

Dated: Sept 1st, 2005

LAW OFFICES OF SHAWN R. PARR

By:

Shawn Parr
Attorney for Def. ALBERT SAMMONS

ORDER

It is so ordered.

Dated: 10/5/05

By: /S/ RONALD M. WHYTE

Honorable Ronald W. Whyte
United States District Court Judge

PROOF OF SERVICE

Re: DIRECTV, INC., v. Huynh, et al. - CASE NO.: CV-03-02166 RMW (HRL)
U.S. District Court - Northern District of California

STATE OF CALIFORNIA, COUNTY OF VENTURA

I am employed by Danner & Martyn, LLP in the County of Ventura, State of California. I am over the age of 18 and not a party to the within action; my business address is 100 E. Thousand Oaks Blvd., Suite 244, Thousand Oaks, California, 91360.

On September 6, 2005, I served the foregoing document(s) described as **STIPULATION FOR DISMISSAL OF DEFENDANT ALBERT SAMMONS; [PROPOSED] ORDER THEREON** on the interested parties in this action as stated on the attached service list as follows:

☒ By placing true copies thereof enclosed in sealed envelope(s) addressed as stated on the attached service list

☐ BY PERSONAL SERVICE (CCP §1011):
 I delivered such envelope(s) by hand to the offices of the addressee(s).

☒ BY MAIL (CCP §1013(a)&(b)):
 I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice such envelope(s) would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at 100 E. Thousand Oaks Blvd., Suite 244, Thousand Oaks, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ BY OVERNIGHT CARRIER (CCP §1013(c)&(d)):
 I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing via Overnight Carrier. Under that practice such envelope(s) would be deposited at an authorized Overnight Carrier "drop off" box on that same day with delivery fees fully provided for at 100 E. Thousand Oaks Blvd., Suite 244, Thousand Oaks, California, in the ordinary course of business.

☐ BY FACSIMILE:
 Pursuant to CCP §1013(e) and (f) and CRC Rule 2008, on _____, 2004, at approximately _____ AM/PM I served the above stated document by facsimile from the facsimile machine of Danner & Martyn, LLP whose phone number is _____ as stated on the attached service list. The facsimile machine used complies with CRC Rule 2003(3). Pursuant to CRC Rule 2008(e) the transmission by facsimile was reported as complete and without error

Executed on September 6, 2005 at Thousand Oaks, California

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.


 Amber J. Nungester

ATTACHED SERVICE LIST

1 *Re: DIRECTV, INC., v. Huynh, et al. – CASE NO.: CV-03-02166 RMW (HRL)*
2 *U.S. District Court – Northern District of California*

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Attorney for Defendant